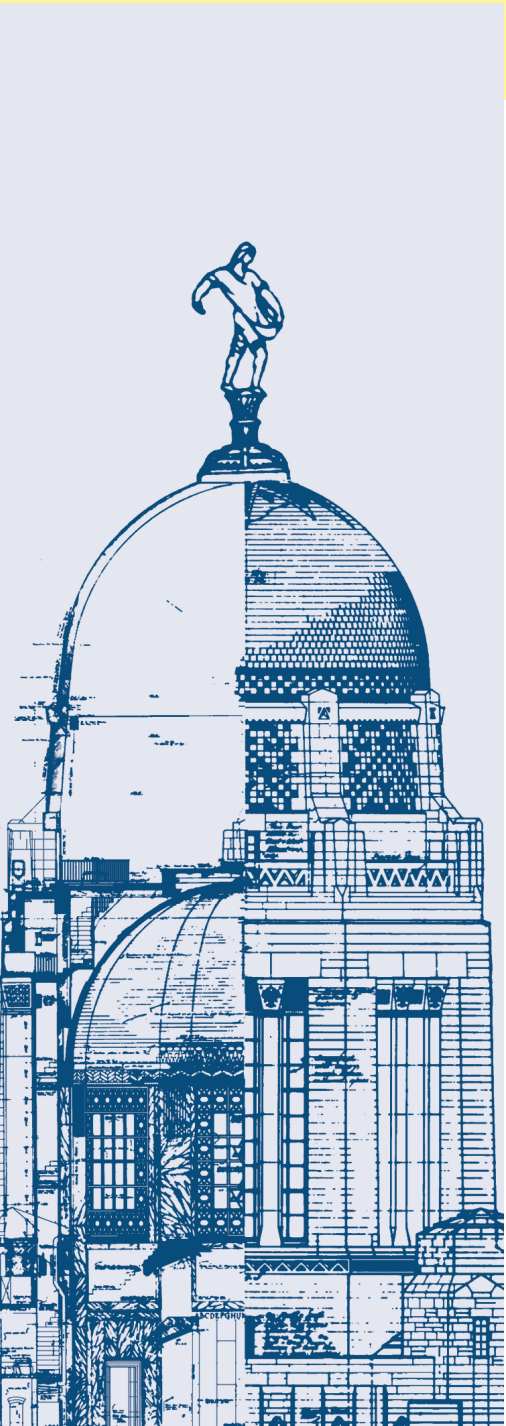


Clarifying Exemptions through Negotiated Rulemaking



The Board of Engineers and Architects is presently two-thirds of the way through a major episode of negotiated rulemaking. The eventual outcome of this process will clarify the trigger points that require the services of Engineers and Architects on smaller construction projects. Due to the significance of this undertaking, and our desire for licensees to have full information on both the process and the outcome, we are covering various aspects of the process in three separate articles in this newsletter. Here, I briefly cover what negotiated rulemaking is and why we are using it. Inside, Roger Helgoth explains where we are in the process and a third article describes the actual process itself.

What is Negotiated Rulemaking?

Negotiated rulemaking is an inclusive process that can be used in drafting some government regulations. It brings together representatives of various entities that have a stake in the way the regulations are drafted. A committee of stakeholders develops recommended policies and language that are submitted to the rulemaking authority for consideration. Negotiated rulemaking typically produces regulations that are more technically accurate, clear, specific and fair than regulations that are drafted unilaterally by the governing agency.

Why we are using it now?

In 2004, the Legislature amended the

Engineers and Architects Regulation Act with LB 599 which contained two crucial provisions related to exemptions:

- It moved the delineation of exemptions — those conditions under which the services of an Engineer or Architect would not be required by law — from the statutes to the Rules and Regulations established by the Board.
- It required the Board to use Negotiated Rulemaking as part of the process of changing the language on exemptions.

Negotiated rulemaking is not a new process for the Board — we have used it twice before. In fact, the Board of Engineers and Architects was one of the first, if not the first, state agency to use the process. This is, however, the first time our use of the process has been mandated by the Legislature.

Though the negotiated rulemaking process is lengthy, arduous at times, and more expensive than unilateral rulemaking, the Board readily embraces it because it believes the process ultimately results in regulations that are more realistic, fair to all concerned and enforceable.



Melinda Pearson, AIA
Executive Director

Board Members

Roger Helgoth, Chair, Engineer Member, Omaha
Michael Konzett, Vice Chair, Engineer Member, Ralston
Mark Champion, Secretary, Architect Member, Lincoln
Fred Choobineh, Engineer Member, Lincoln

Albert Hamersky, Architect Member, Lincoln
Thomas Laging, Architect Member, Lincoln
Dale Sall, Engineer Member, Holdrege
William Tringe, Public Member, Holdrege

Staff

Michelle Norval, Administrator
Sandra Weaver, Administrative Assistant
Jeanne Vliet, Receptionist
Luan Tran, Secretary

Negotiated Rulemaking Yields Recommendations on Exemptions

BOARD PERSPECTIVE by Roger M. Helgoth, P.E.

Fellow Board member Mark Champion and I had both the chore and the privilege of serving as representatives of the Board of Engineers and Architects on the recent Negotiated Rulemaking Committee. That committee, which included 28 individuals representing a cross-section of stakeholders in the design and construction of smaller structures, was convened to address the issue of exemptions — situations where the services of an Engineer or Architect are not legally required. (Mark was the Architect representative and I the Engineer representative from the Board).

I used the word “chore” in the foregoing paragraph because service on the committee took a lot of time and involved a lot of work, not just for the two of us from the Board, but for all 28 of the committee members. The process, which is explained in more detail on page 3 of this newsletter, could be described as arduous; it involved a lot of discussing, active listening, thinking and negotiating.

However, I also used the word “privilege” because it was a most beneficial experience. It was enlightening to sit down with a mixture of contractors, home builders, city building officials, zoning officials, Realtors and developers and hear first hand their various viewpoints on issues related to building safety and when the services of Engineers and Architects should and should not be required.

Background

This negotiated rulemaking exercise came about because the Legislature passed a bill (LB 599) in 2004 calling for certain requirements and exemptions from the Engineers and Architects Regulation Act to be written into rules and regulations rather than placed in the statutes. The question of exemptions historically has been the most controversial issue in the Engineers and Architects Regulation Act and the Legislature directed that the negotiated rulemaking process should be used to develop an advisory document that would guide the Board as it finalized the exemption language in the Rules and Regulations.

Previously the statutes had specified that structures with an area less than 5,000 square feet, an occu-

pancy rating of less than 20, and a height of less than 30 feet did not require the involvement of a licensed Engineer or Architect. Of these three components, the occupancy factor has generally been the most controversial; owners tend to interpret occupancy in terms of their intended use of a structure whereas building codes determine an occupancy factor solely on the basis a structure’s square footage.

Outcome

After a series of four meetings this winter and spring, the committee produced a series of recommendations that will be carefully considered by the Board as the rules and regulations are drafted. While the whole of the recommendations is too lengthy to be covered here, there are a few aspects of the process and the recommendations that merit specific mention:

- The committee paid a great deal of attention to the question of intended occupancy but made all of its recommendations in terms of the more objective measure of square footage.
- Most of the recommendations received unanimous support from the committee. Many of the remaining recommendations receive the support of a strong majority.
- The participants recognized that a key factor in the occupancy issue was whether or not the occupants of a building could act to preserve themselves in case of an emergency. Accordingly, it was agreed that certain types of buildings (nursing homes, medical facilities, group homes, etc.) should have a lower exemption threshold before the services of an Engineer or Architect are required. Many of the committee members argued that certain structures should have the exemption threshold reduced to zero square feet.

The next step

The recommendations of the Negotiated Rulemaking Committee are now in the hands of the drafting committee of the Board. The drafting committee will develop the final language for the rules and regulations which, once approved by the entire Board, will be submitted for the gover-



Negotiated Rulemaking Yields Recommendations... continued

nor's signature. Once the governor signs the proposed rules and regulations, they become law.

Note: By law, the rules and regulations adopted by the Board cannot be more restrictive than the requirements and exemptions that were previously in the statutes. Any move to reduce the threshold area to a lower number or zero would necessitate a change in the law by the Legislature.

Appreciation for the committee's work

On behalf of the Board, I publicly thank all the members of the Negotiated Rulemaking Committee for their time, effort and diligence. This was a difficult but fruitful process and the recommendations will help the Board develop rules and regulations that are fair to all concerned and more understandable to the public and the affected industries.

Overview of the Negotiated Rulemaking Process

Convening the committee

In October, 2005, the Board engaged an impartial consultant, Debra Dahab, Ph.D., to convene the Negotiated Rulemaking Committee. After reviewing the Board's previous exercises in negotiated rulemaking and analyzing LB 599 that mandated the current committee, Dr. Dahab assembled a master list of potential stakeholders — organizations or groups that may be classified as interested parties. She then contacted the groups by phone and mail to see if they were indeed interested and if they would appoint a representative. A small number of organizations declined because they had little interest in the outcome; most of those contacted accepted. The list of committee members is shown below.

Facilitating the process

The Board engaged Martha Gadberry, a professional facilitation consultant, to serve as a neutral facilitator. Four meeting dates in 2006 were established:

- January 11, in Lincoln
- February 3, in Grand Island
- March 3, in Lincoln
- April 7, in Lincoln (if needed).

The first meeting involved a review of the board's previous negotiated rulemaking exercises; definition of problems, issues, concerns and interests; identification of common ground and possible consensus. The second meeting involved identification of possible solutions; review of materials for technical discussion; identification of consensus. The third meeting involved consensus building on residential,

renovations and additions; identification of issues needing further discussion. The fourth meeting involved continued discussion; final vote on classification areas; development of recommendations.

Members of the Negotiated Rulemaking Committee

Al Avery, Nebraska Realtors' Association
Dan Berlowitz, Nebr. Economic Developers Assoc.
Lash Chaffin, League of Nebraska Municipalities
Mark Champion, Board of Engineers & Architects
Steve Fulton, Nebr. Assoc. of Home Builders
Steve Hardwick, Behlen Manufacturing
James Harper, City of Omaha
Roger Helgoth, Board of Engineers & Architects
Aaron Hendry, Legislative Aid to Sen. Jim Jensen
Dick Johnson, Associated Building Contractors
Jeffrey Karloff, Professional Engineers Coalition
Jennifer Klein, Professional Engineers Coalition
Rick Krueger, Nebr. Assoc. of Home Builders
Rod Laucomer, Nebraska HHSS
Susen Linder, State Fire Marshal
Lynn Mayhew, Professional Engineers Coalition
Virgil Meedel, City of Waverly
Charles Meyer, Colfax County
Steve Nordhues, City of Norfolk
Jim Pelster, City of Sidney
Jean Petsch, Associated General Contractors
Mike Rindone, Nebr. Dept of Administrative Services
John Sinclair, AIA Nebraska
Jeff Sinnett, City of LaVista
Daniel Thiele, Professional Engineers Coalition
Ken Westerhold (alternate) Nebr. Assoc. of Home Builders
Jack Wilkins, AIA Nebraska
Chuck Zimmerman, City of Lincoln
Kent Zimmerman, City of So. Sioux City

Complaints/Actions

The following complaints have been logged with the Board of Engineers and Architects. The summaries are provided for licensee education and information.

Unlicensed Practice.

- 05.21 Unsealed drawings for an addition to a radio station in Ashland, exceeding 5,000 s.f., were submitted to a state agency for review. **Action:** The contractor notified the Board that it was a pre-engineered metal building with plans designed and stamped by a Professional Structural Engineer from Columbus. The official granted them a notice to proceed.
- 05.22 Unsealed drawings for a communications building in Wayne were submitted to a state agency for review. **Action:** An Architect was retained.

Engineer performing Architectural work

- 05.23 An Engineer sealed plans submitted for a permit for a metal building in Wayne. **Action:** The engineer explained that the drawings were intended to be preliminary and that an Architect would be retained.

Unlicensed Practice

- 05.25 Plans for a new law office in Neligh, with an occupant load of over 50, was submitted to the State Fire Marshal for review by a frame company in Franklin. **Action:** An Architect from Norfolk was retained.
- 05.27 A church applied for a permit for a 3,000 s.f. addition. Preliminary design work was completed by a Lincoln firm. The client took the drawings to a local drafting company. Plans were submitted with structural engineering drawings. **Action:** The Remediation Policy was sent to the church.
- 05.28 An addition to the high school at Rising City was submitted for review by the State Fire Marshal, with drawings by a local contractor. **Action:** The Contractor explained they were submitting the plans to the Fire Marshal to determine if sprinklering, which would be too costly, was required. The contractor noted that they “always hired a licensed Architect on every commercial job that required one.”
- 05.29 A 22,000 s.f. addition to a supply warehouse in Schuyler was submitted with no professional seals for a permit. **Action:** The owner retained an architect, with mechanical and electrical engineers.
- 05.30 Plans for a new building for a country club in Hebron were submitted for a permit with over 20 occupants and major fire and life safety issues. **Action:** The owner retained a licensed Architect to provide the documents.
- 05.31 An addition to the Beaver Crossing hardware store

was submitted for permit without seals. The owner stated that the building “was already constructed” and he had a permit from the Village and the State Electrical Inspector. He thought he was in full compliance. **Action:** A letter was sent to the Village and Building Inspector at Beaver Crossing informing them of the noncompliance.

- 05.32 Plans for a waste disposal and storage facility were submitted to the Fire Marshal without seals. **Action:** The company reported that they had an engineer of record from Kearney, who was finalizing the plans.
- 05.33 A steel company erected three metal buildings on eight acres around Atkinson. One building is two-story with a footprint of 2,500 s.f.; another is a shop with footprint of 20,000 s.f.; the third a single-story building of 2,500 s.f. An investigation by the Board led to information that a licensed civil engineer, who works for a metal building manufacturer, assisted in the pre-engineered building drawings. The local Fire Marshal had given the approval to proceed and the buildings were occupied. **Action:** A letter was sent to the Structural Engineer indicating the seriousness of informing their clients as to the limits of what pre-engineered metal buildings provide for larger structures. The engineer was reminded of the requirements of the Coordinating Professional.

Unlicensed Practice or Misuse of the Seal

- 05.34 Plans prepared by an Omaha architectural firm, with Omaha engineering consultants, for a farm and home store in Tecumseh were being used for bidding of a similar store in Fairbury, and possibly Canton, Missouri. **Action:** Modified plans were submitted for permitting for the Fairbury store by an architectural firm in Grand Island. The building in Missouri is being investigated by the Missouri Board.

Unlicensed Practice

- 05.35 A Knox County government office had permit drawings that carried no professional seals. Preliminary drawings were prepared by an architect who had a lapsed Nebraska license. **Action:** An architectural and engineering firm was retained.
- 05.36 The construction of a new church fellowship hall in Valparaiso had an occupant load over 20 persons. Allegedly an architect prepared preliminary plans but backed out of the project and drawings were completed by a drafting company. Permit drawings were submitted by a construction company. **Action:** Another architectural firm was retained.
- 05.37 Plans submitted to the State Fire Marshal for a social club in Blair had only structural drawings. Permits

Complaints/Actions continued

were pending the reciprocal licensure of an Architect from Illinois. **Action:** The Architect was licensed.

05.38 Plans were submitted to the State Fire Marshal for a day care in Dwight with an occupancy over 20 but no seals; drawings were done by a drafting company. **Action:** An architectural firm was retained.

05.39 Plans were submitted by a contractor for a new church fellowship hall in Hooper with an occupant load over 300 with no design professionals. **Action:** An architectural firm was retained.

Corporate Authorization

05.40 An engineer, who was the designated Professional Engineer for an organization that practiced engineering, resigned from the firm. **Action:** Mitchell Engineering & Inspections Certificate of Authorization was cancelled.

Unlicensed Practice

05.41 Plans were submitted on an 8-1/2" x 11" sheet of paper for a two-storey addition to a casino in Emerson, NE. Subsequent letters to the tribe and construction company went unanswered. An Attorney General's opinion regarding the authority of the Board to enforce the Engineers and Architects Regulation Act on Indian Lands stated that "If an architect or engineer is a non-tribal member engaged in a project on non-Indian land within the reservation, the Board likely has jurisdiction over that architect

or engineer." The answer is less clear with regard to "an unlicensed individual who is practicing architecture of engineering..." **Action:** An occupancy permit of 140 persons was issued by the Fire Marshal.

06.01 A Johnson County building was being built in Tecumseh. After no response was received from the contractor, a letter was sent to the County Commissioners. **Action:** An Architect was retained.

Violation of Full Disclosure

06.02 A commercial client from Omaha filed a complaint against an Architect that, within two years of completion of their project, mildew started growing on the warm side of a walk-in cooler. It was alleged the Architect refused to provide the client with professional liability insurance information. **Action:** It was determined that neither the Architect, nor their consultants, denied insurance information to their client. The Architect was advised to review the Statute regarding the Coordination Professional's responsibilities.

Engineer performing Architectural work

06.05 An electrical engineer provided sealed documents for a permit for a remodel of a building in Beatrice with an occupant load of over 20. **Action:** The engineer has been invited to meet with the Board, or respond in a letter, at their next Board meeting. An Architect is being hired by the owner to provide the architectural work.

Law Shifts Enforcement from Building Officials to the Board

A significant provision of LB 599 — in addition to the treatment of exemptions and the need for negotiated rulemaking covered elsewhere in this newsletter — was the repeal of Nebraska Statutes Section 81-3447. That section allowed for first-line enforcement of the Engineers and Architects Regulation Act by prohibiting public officials from accepting plans that were not in compliance with the Act.

The effect of this repeal has been a shift of first-line enforcement of Act from building officials, who review the plans as a matter of course, to the Board of Engineers and Architects, which typically does not get involved in plan review. This shift has made enforcement of the Act much more problematic and less com-

prehensive. While the Board could take a completely reactive stance, responding only to complaints filed by interested parties, the Board believes that its mission of protecting public safety requires a proactive approach.

Accordingly, in addition to investigating actual complaints, the Board will implement a system of random reviews of plans filed with local building officials. Recognizing the large amount of extra work that such reviews entail, the Legislature has authorized up to two new staff positions for enforcement. Since the actual funding of the positions must still come from the Board's self-supporting revenues, however, the budget at this time can only support a single compliance officer. The Board is currently interviewing candidates.

Licensure Updates through March 31, 2006

A-3567 to A-3612 and E-11584 to E-11746; Temporary Permits expiring after 3/31/2006

Licensure by Examination

Architects: Olamide Abiodun Banwo; Omaha • Jeffre A Chadwick; Lincoln • Jeffrey J Dolezal; Omaha • J. Christopher Houston; Omaha • Eric A Maxwell; Lincoln • Kimberly A. Sosalla-Bahr; Omaha.

Engineers: Agricultural: Jeyamkondan Subbiah; Lincoln. **Civil:** Mark A. Augustine; Omaha • Michael A. Balash; Omaha • Brock M. Beran; Omaha • Ronald S Beyer; Omaha • Bretton E Bleske; Omaha • Daniel Drake; Norfolk • Jay B. Fallick; Kansas City, MO • Derrick J. Fitton; Omaha • Patrick M Honan; Offutt AFB • Todd B Livingston; Bellevue, WA • Marie A. Maly; Omaha • Brad J. Marshall; Lincoln • Sharyl L McGuire; Omaha • Randy R. Moses; Lincoln • Robert B. Nickeson; Lincoln • Erika L Nunes; Lincoln • Robert G Pearce; Lincoln • Jeremy T. Steenhoek; Omaha • Cory A Steinke; Holdrege • Justin J. Stine; Lincoln • Joshua J. Storm; Omaha. **Electrical:** John L Benefiel; Omaha • Jason A Bergman; Omaha • Lewis G. Carpenter; Kansas City, MO • Matthew R Eibes; Omaha • Kent M Herzog; Omaha • Gregory W Hill; Genoa • Jeffrey A Johnson; Lincoln • Travis J Phifer; Lincoln • Lon D. Renner; York • William Schmidt; Omaha • Jason S Smith; Lincoln • Chad J Wieseler; Bellevue. **Environmental:** Joe L. Kvetensky; Papillion • Angel Lowery; Omaha • Wayne E. Woldt; Raymond. **Industrial:** Corey S Hobza; Hastings. **Mechanical:** Robert L. Bowman; Omaha • Kevin D. Madsen; Omaha • Orion M Morrissey; Omaha • Brad R Mostek; Lincoln • Frank C Pruitt; Omaha • Susan Randall; Omaha • Michelle L Swanson; Denver, CO • Brian C Yeggy; Lincoln. **Mechanical & Fire Protection:** John W Wilkus; Lenexa, KS. **Petroleum:** Dwight D Haney; Olathe, KS. **Structural:** Mark J. Schurk; Webster Groves, MO.

New Emeritus Members

Architects: Harold L Adams; Baltimore, MD • Heath J Barclay; San Antonio, TX • Eugene A Beam; Omaha • William L Borner; Lincoln • Dwight M Brennfoerder; Joplin, MO • Gary D Churchill; Omaha • James W Coons; Billings, MT • George S Douglas; San Francisco, CA • H. Robert Douglass; Georgetown, TX • William R Godfrey; Chevy Chase, MD • Jack K Hood; Springfield, MO • Thomas E Huffman; Omaha • James E Jenkins; Apple Valley, MN • Don R Kirkman; Auburn, WA • Robert J Koppes; Kansas City, MO • Jary J Phillip; Valley.

Engineers: Karm B Akhtar; Hampstead, MD • Robert W Bernard; Ozark, MO • Robert E Brady; Middleville, MI • Larry L Briggs; Lincoln • Glydewell B Burdick; Hopkins, MN • Michael C Cannon; Sioux City, IA • Theodore P Chao; Burke, VA • Richard L Chase; Lincoln • Lee-Ken Choo; Falls Church, VA • Robert E Clay; Denver, CO • John H Conley; Omaha • Donald D Cook; Lincoln • John T Davis; Norfolk • James A DeShazer; Moscow, ID • Eugene H Dierks; Columbus • Lorn P Dunnigan; Lincoln • Larry J Edwards; Fort Collins, CO • Charles K Ellis; Beatrice • Richard A Erixson; Crawford • Raymond O Farris; Henderson, NV • Andras S Feher; Morgantown, WV • Perry E Frenzel; Wyckoff, NJ • Thomas M Garrison; Leawood, KS • Paul D Glover; Spencer, IA • Jerry E Gohr; Carter Lake, IA • Robert S Harp; Little Rock, AR • Frederick Hawkins; Omaha • Jerome J Hearty; Coolridge, AZ • Henry J Henley; Silver Spring, MD • Roger A Henrichson; Lincoln • Raymond H Hogrefe; Lincoln • John M Holiday; Bethlehem, PA • Steven F Holmstrom; Henderson, NV • John E Housiaux; Highland Park, IL • Steven R Hudepohl; Hamilton, OH • Raymond C Hultman; Santa Maria, CA • Gordon D Hussey; Omaha • Joe Javazadeh; Edmond, OK • James R Jensen; Bridgeport • Thomas

D Jizba; Bennington • Robert D Keasling; Omaha • Debra K Keely; Longwood, FL • Glen E Kirk; Scandia, KS • Winston E Knechtel; Wheat Ridge, CO • Timothy C Knight; Plattsmouth • Ronald D Kohler; Hot Springs N.P., AR • William D Koperski; Omaha • Andrew N Korte; Olathe, KS • Donald R Kramer; Vancouver, WA • Robert C Kuhn; Omaha • Richard L Kunz; Pleasanton, CA.

Licensure by Reciprocity

Architects: Stuart M. Alderman; Austin, TX • Orville G. Anderson; Lakewood, CO • Richard A. Backes; Bailey, CO • Nathan D Baker; Tulsa, OK • Garth W. Brandaw; Salem, OR • Patrick C. Brockman; Holmen, WI • Leslie K Carter; Amarillo, TX • Jay N Cooperson; Wilmington, DE • Mark A. Corey; Madison, WI • Yann D. Cowart; Montgomery, AL • James R. Galle; Overland Park, KS • Richard K. Gelber; Philadelphia, PA • Kevin J Godwin; Sioux City, IA • Kevin J. Hinders; Dawson, IL • Philip A Hodgin; Des Moines, IA • Fred M. Humphrey; Winter Park, FL • Robert H. Kirkland; Sautee, GA • Maurice Kutt; Norman, OK • Richard A Lecznar; Castle Rock, CO • Kenneth M. Lies; Willowbrook, IL • Frank A. Malek; Greenwood Village, CO • Lauri A Mallord; Scottsbluff • Eric D Milberger; Huntsville, AL • William T. Oswell; Marietta, GA • Karen J. Quinlan; Bloomington, IL • Vernon J Remiger; Saint Louis, MO • Michael B. Rosen; Chicago, IL • Francis B. Scherr; Saint Louis, MO • Douglas P. Schwartz; Northbrook, IL • Ronald O. Sholar; Lakewood, CO • Greg Shue; Boerne, TX • Curtis D. Soderberg; Baton Rouge, LA • Robert J. Stensland; Waverly, IA • John P Thorne; Lexington, KY • Thomas J. Trenolone; Omaha • Stephen G. Van Winkle; Lone Tree, CO • Don D Walter; Houston, TX • Daniel L. Weinheimer; Indianapolis, IN • Richard A. Wiemken; Fargo, ND • Link Wilson; Minneapolis, MN.

Engineers: Agricultural: David P. Yexley; West Fargo, ND • **Civil:** Thomas J. Abkemeier; Saint Louis, MO • Kassim M. Alkanani; Centennial, CO • James L. Burke; Fayetteville, AR • Steven J. Carlson; Layton, UT • Randy M. Carroll; Blaine, WA • Zhaohui Chai; Chesterfield, MO • Abby M. Cheshier; Omaha • Scott T. Conley; Omaha • Dennis R. Cook; Wichita, KS • Robert W. Corry; Denver, CO • Bruce N. Dani; Champaign, IL • Deborah A. English; Prairie Village, KS • Richard L. Forest; Oklahoma City, OK • Ronald M. Gillen; White Lake, SD • Debra D. Haferman; Fort Collins, CO • Ronald T. Hamme; Republic, MO • Amy R. Herbst; Sergeant Bluff, IA • Arturo A. Hernandez; Frisco, TX • Jason D. Hill; Oakbrook Terrace, IL • Barney T. Horrell; Laramie, WY • Seneca Jacobs; Little Rock, AR • Duane E. Jensen; Huxley, IA • Daniel K. Johnson; Yankton, SD • Ramana Murthy V. Koti; Omaha • Kimberly W Kramer; Manhattan, KS • Lucien M Larche; West Monroe, LA • Eric R Larson; Hamilton, OH • Richard R. Lee; Portland, OR • Michael R. Leiferman; Madison, WI • James E. LePetrie; Jacksonville, FL • John M. Lieb; Indianapolis, IN • Steven L. Manor; Fort Wayne, IN • Brent L. Massey; Bentonville, AR • William H. Matthews; Orlando, FL • Leonard J. Meers; Saint Louis, MO • Joseph E. Moha; Milwaukee, WI • Raphael I Mohamed; Pittsboro, NC • Lizandro Naranjo; Terrell, TX • Patrick A. O'Neill; Kansas City, MO • Sara E. Olney; Tampa, FL • Aivars L. Pelds; Pleasant Hill, IA • J. David Roberts; Missoula, MT • Brian D. Robideau; Coon Rapids, MN • Frederick S. Roland; Wilmington, DE • Scott K. Rutland; Helena, AL • Michael P. Ryer; Milwaukee, WI • Joseph M. Samuel; Maplewood, MN • Kurt G. Seider; Cary, NC • Robert A. Sexton; Rice Lake, WI • Brendan R. Sheppard; Atlanta, GA • Marc A. Skillman; Odessa, FL • Daniel C. Smith; Raleigh, NC • Mark A. Snyder; Columbia, MO • Michael E. Spurrier; Cincinnati, OH

Licensure Updates continued

• Michael C. Stieffermann; Bonnots Mill, MO • Daniel J. Strong; Papillion • Vernon E. Swing; Minnetonka, MN • Jeffrey M. Tanner; Wilmington, NC • Christopher F. Thompson; Deephaven, MN • Michael G. Thorson; Richfield, OH • J. Allan Tice; Raleigh, NC • Michael G. Tomko; Elkhart, IN • Eric J. Tompos; Nappanee, IN • Joel M. Wadas; Plymouth, IN • Christopher J. Warren; Canton, GA • Michael C. Wright; New Carlisle, OH • Gerry Wynne; Sugar Land, TX • Andrew J. Zekany; Dallas, TX. **Civil & Structural:** Chris W. Leaton; Spring Hill, KS. **Electrical:** Warren H. Bascome; Wilmington, NC • Brian R. Crisp; Bloomington, MN • Joseph T. Davis; Independence, MO • Douglas S. Fagaly; West Chester, OH • Matthew W. Fults; Edina, MN • Paul W. Gordon; Memphis, TN • Eric J. Gromko; Wheat Ridge, CO • Peter J. Kamis; Fairview Park, OH • David P. Loduca; Saint Louis, MO • Jose R. Marotta; Tampa, FL • Charles W. Mathson; Fargo, ND • Cris E. Naegele; Wichita, KS • Dale Norwood; Concord, NC • William L. Phillips; Atlanta, GA • Darin D. Plitt; Hanover, PA • Gerald Roberds; Cedartown, GA • R. Karl Roos; Centennial, CO. **Environmental:** Paul E. Pigeon; Lakewood, CO. **Mechanical:** Nawwaf A. Ahmad; Orlando, FL • Jonathan J. Cooper; Franklin, TN • James B. DelPapa; Raleigh, NC • Jay R. Eiring; Birmingham, AL • Robert S. Fetterly; Boise, ID • Douglas D. Fick; Indianapolis, IN • J. Michael Fischer; Overland Park, KS • Frank A. Freeman; Fort Wayne, IN • Craig M. Gradick; Dunwoody, GA • Jason B. Greenberg; Palatine, IL • Randall S. Harris; Las Vegas, NV • Robert J. Hazleton; Salem, OR • Joanne K. Hoban; Independence, MO • Abdou M. Jaafar; Tulsa, OK • Richard Dale Katzung; Milwaukee, WI • Michael R. Lorenz; Philadelphia, PA • Scott T. McKenzie; Chattanooga, TN • Marc T. Mullooney; Butte, MT • Randall J. Rhoades; Muskegon, MI • Christopher R. Webb; Bloomington, MN • Jimmy D. Williams; Amarillo, TX • Robert A. Zagar; Saint Louis, MO. **Petroleum:** Kenneth J. Cooper; Highlands Ranch, CO. **Structural:** Andrew M. Douma; Harrisburg, PA • Andre A.T. Razo; Wichita, KS • D. Ryan Young; Scottsdale, AZ.

Temporary Engineer Permits

Trent E. Beighle (Electrical); Dayton, OH; Expires 4/20/07 • James E. Bolton (Chemical); Toronto, ON; Expires 6/27/06 • Dale W. Caffey (Electrical); Carrollton, TX; Expires 2/17/07 • Simon V. Cattan (Electrical); Stamford, CT; Expires 7/13/06 • Eugene Stephen Dvorchak (Civil); Pittsburgh, PA; Expires 6/30/06 • Matthew David Ebejer (Electrical); Plymouth, MI; Expires 7/14/06 • Lynda M. Erdbrink (Mechanical); Exeter, NH; Expires 10/24/06 • Cabot M. Eudaley (Structural); Bethany, OK; Expires 12/16/06 • Steven Louis Faseler (Structural); Bergheim, TX; Expires 11/15/06 • Eric D. Fessler (Chemical); Brookfield, WI; Expires 1/10/07 • Mark Alan Fetzer (Structural); Rapid City, SD; Expires 1/10/07 • Edward D. Ford (Civil); Golden, CO; Expires 2/20/07 • Michael A. Frank (Civil); Cincinnati, OH; Expires 7/15/06 • Robert Ernest Garcia (Environmental); Highlands Ranch, CO; Expires 7/29/06 • Robert B. Graham (Civil); Little Rock, AR; Expires 2/17/07 • Ali

A. Hamidi (Mechanical); Bloomfield Hills, MI; Expires 8/16/06 • Joseph Julian Hoffmayer (Civil and Structural); Oak Park, CA; Expires 5/3/07 • William Lewis Howard (Electrical); Bedford, VA; Expires 2/27/07 • Gregory Alan Johnson (Mechanical and Electrical); Moundsville, WV; Expires 5/4/07 • Corian Wayne Johnston (Structural); Farmington Hills, MI; Expires 8/16/06 • Robert H. Jordan (Civil); Scottsdale, AZ; Expires 4/6/07 • Kenneth E. Kaszubowski (Civil); Whitefish Bay, WI; Expires 3/7/07 • Shahab Khatami (Structural); Roswell, GA; Expires 7/25/06 • Erin Kathleen Mace (Electrical); Atlanta, GA; Expires 5/31/06 • Harry Edmund Marshall (Structural); Lincolnshire, IL; Expires 3/6/07 • Howard W. McCarthy (Civil); Denver, CO; Expires 8/16/06 • Larry William Moore (Electrical); East Lansing, MI; Expires 8/10/06 • Pierre L. Morel (Mechanical); Montreal, QC; Expires 1/25/07 • Brian T. Murphy (Civil); Spring Lake, MI; Expires 2/14/07 • Dan E. Mutschelknaus (Electrical); Brandon, SD; Expires 2/3/07 • Gary A. Olson (Electrical); Woodridge, IL; Expires 3/8/07 • Richard D. Osbaugh (Mechanical); Denver, CO; Expires 11/3/06 • David C. Partridge (Mechanical); Dayton, OH; Expires 4/20/07 • Donald Caldwell Ricker (Civil); Richmond, VA; Expires 3/28/07 • James P. Rozema (Civil); Grand Rapids, MI; Expires 5/12/06 • Preston E. Sargent (Mechanical); Malvern, IA; Expires 10/7/06 • Mark S. Servinsky (Civil); Holland, MI; Expires 5/28/06 • Edward R. Sexton (Electrical); Montreal, QC; Expires 1/25/07 • Chad D. Sikkenga (Mechanical); Kalamazoo, MI; Expires 6/30/06 • William L. Simons (Civil); Arvada, CO; Expires 4/10/07 • Christopher W. Sims (Mechanical); Carrollton, TX; Expires 2/17/07 • Bohdan J. Slawewski (Civil); Montreal, QC; Expires 1/25/07 • Barry A. Smith (Electrical); Chesterfield, MO; Expires 5/4/06 • Glen Michael Tarleton (Mechanical & Electrical); Albuquerque, NM; Expires 8/2/06 • Ganapathy Viswanathan (Civil); Lachine, QC; Expires 1/25/07 • Syed Baber Ali Wahidi (Civil); Granite Bay, CA; Expires 3/1/07 • Michael J. Welsch (Structural); Downers Grove, IL; Expires 7/15/06 • Michael H. Wheeler (Civil); Jacksonville, FL; Expires 2/6/07 • Ann L. Woodhull (Civil); Milwaukee, WI; Expires 4/3/07 • Herbert F. Zepp (Mechanical); Auburn, NH; Expires 5/4/06.

Deceased

Architects: John A. Benson; Lincoln; 5/30/06 • James I. Freed; New York, NY; 12/15/05 • Donald M. Mullins; Omaha; 4/10/06 • Lynn E. Vermeer; Lincoln; 3/4/06 • Eugene H. Wright; Lincoln; 4/4/06.

Engineers: Raymond T. Abernethy; Lincoln; 11/5/05 • Jerry D. Binfield; Grand Island; 10/8/05 • Charles F. Macchietto; Omaha; 2/11/06 • Keith N. Newhouse; Lincoln; 5/9/06 • Waldemar S. Nelson; New Orleans, LA; 11/15/05 • William J. Stevenson; West Des Moines, IA; • Charles A. Stryker; Topeka, KS; 6/13/06 • Harold B. Stryker; Rising City.

Staff: Mary Helen Berryman (retired in 1985 after a long tenure as administrative assistant to the Board, known during her career as the Engineers and Architects Examining Board); Lincoln; 6/6/06.

Board Seeks Information on Collapsed Metal Buildings

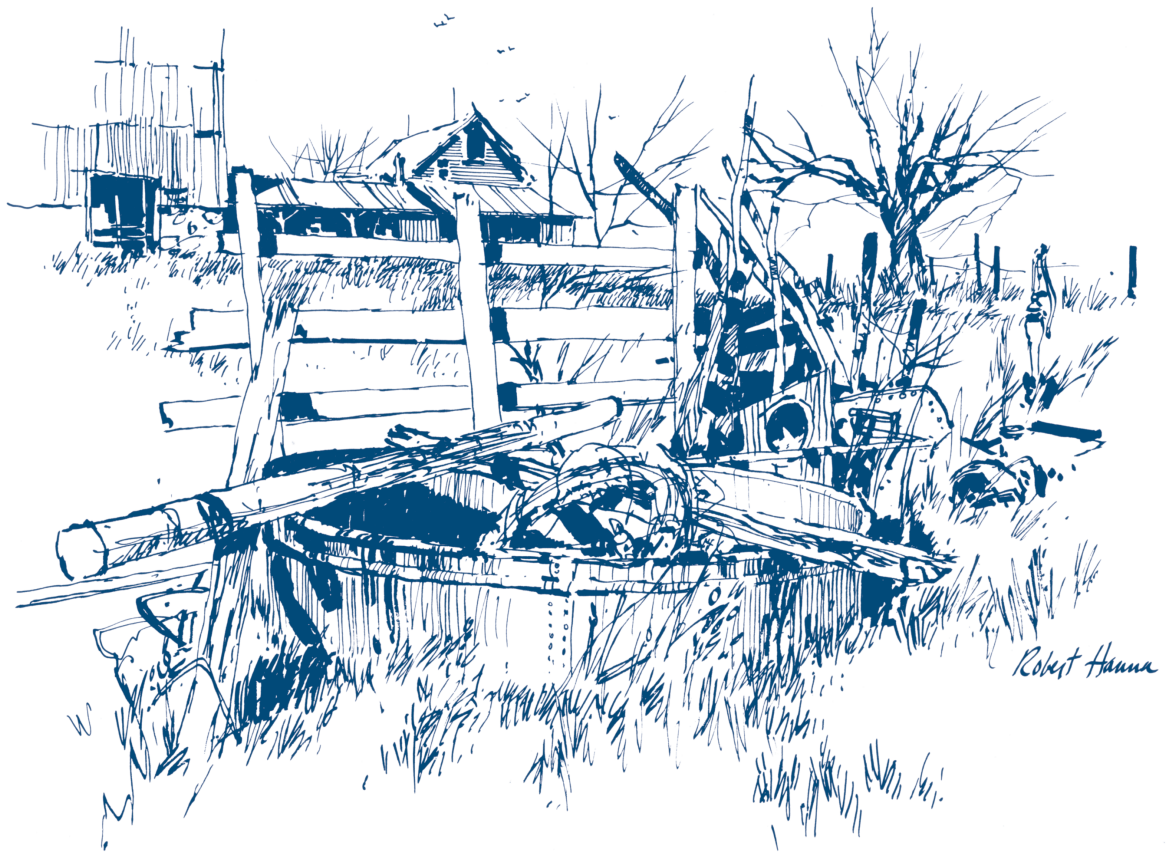
When the big first-day-of-spring snow storm hit Nebraska on March 21st, several metal buildings in various parts of the state collapsed. The Board is compiling information on those known building

failures, and on any other as-yet-unreported failures. If you have information on any metal building failures that occurred at the time of the spring snow, please contact the Board at 402/421-2021.

Things gather together
in the corners of fences,
drawn there by a kind
of magnetism. Not only
things, but small animals,
too — mice and garter
snakes and butterflies.
There's no stopping it.
Someday, everything in
the world will be piled
up in a corner of a field,
rusting in the sun. You'll
be there, too. There'll
be a lot to talk about, if
anybody feels like talking.

Ted Kooser

Ted Kooser, U.S. Poet
Laureate (2004–2006)
and recipient of the
2005 Pulitzer Prize for
Poetry, is a Nebraska Poet.



Farmyard near Columbus, a sketch of Nebraska by **Robert L. Hanna**, an Emeritus Nebraska Architect

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